

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Billy Ray Crawford,)
)
Plaintiff,) Civil Action No. 8:16-cv-1165-TLW
v.)
)
Officer Lowry,) **ORDER**
)
Defendant.)
)

On April 11, 2016, Plaintiff Billy Ray Crawford, (“Plaintiff”) brought this action, *pro se*, pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). ECF No. 1. Defendant filed a Motion to Dismiss, or in the Alternative, for Summary Judgment on August 9, 2016. ECF No. 23. On August 10, 2016, Plaintiff was advised that if he failed to respond, this action would be dismissed. ECF No. 24. On September 19, 2016, Plaintiff was advised again that if he failed to respond, the action would be dismissed. The Order also extended the deadline to respond until October 11, 2016. ECF No. 26. Despite these filings, Plaintiff failed to respond to the motion.

This matter now comes before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Jacquelyn D. Austin, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), (D.S.C.). ECF No. 29. In the Report, the Magistrate Judge recommends that the Complaint be dismissed pursuant to Federal Rule of Civil Procedure 41(b). *Id.* Objections were due on November 3, 2016, however, Plaintiff failed to file objections to the Report.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept,

reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Report and relevant filings. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 29, is **ACCEPTED**, and this action is **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b) for lack of prosecution.¹

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

December 2, 2016
Columbia, South Carolina

¹ This Court notes the Plaintiff did not respond to the Motion to Dismiss, or in the Alternative, for Summary Judgment filed by the Defendant. The analysis in that filing supports dismissal of this action on the merits.